



## BROWNING-FERRIS INDUSTRIES

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PONCE

PRD980594709

PE85-09/15/85

PRD 980594709

Barbara D. Little  
Environmental Counsel

April 15, 1985

John Jiminez, Permits Administrator  
EPA, Region II  
26 Federal Plaza, Room 937A  
New York, New York 10278

Re: RCRA Section 3010 Notification of  
January 14, 1985 Listed Wastes

Dear Mr. Jiminez:

January 14, 1985, U.S. EPA at 50 FR 1978, et seq, promulgated a final regulation listing as hazardous wastes certain wastes containing particular chlorinated dioxins, -dibenzofurans and -phenols (hereinafter referred to as the "January 14, 1985 listed wastes"). The preamble to this regulation indicates that persons, including those who have previously notified the U.S. EPA under Section 3010 of RCRA, who generate, transport, treat, store or dispose of the January 14, 1985 listed wastes are required to notify U.S. EPA, or a State authorized by EPA to operate the hazardous waste program, pursuant to §3010 of RCRA no later than April 15, 1985.

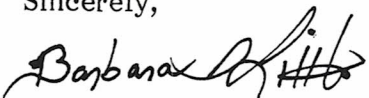
Pursuant to the RCRA statutory and regulatory scheme, this notification provision has several possible interpretations. The most reasonable interpretation is that only those entities engaging in the generation, transport, treatment, storage or disposal of the January 14, 1985 listed wastes on or after July 15, 1985, need file the requisite notification on April 15, 1985. Another possible interpretation is that interim status hazardous waste management facilities which might obtain an emergency permit pursuant to 40 CFR 270.61, when there is no other realistic management capacity for the January 14, 1985 listed wastes, are required to have filed the requisite §3010 notification by April 15, 1985. A very broad interpretation of the notification requirement, arguably beyond the scope of §3010 of RCRA, is that all persons who may have handled or managed the January 14, 1985 listed wastes or who may in the future, after final Part 264 permitting, handle such wastes, must file the §3010 notification for the January 14, 1985 listed wastes by April 15, 1985.

Because of the ambiguity of the EPA notification requirement, the enclosed §3010 Notification of Hazardous Waste Activity is being filed for the hazardous waste management facility named therein as a protective measure only in the event that the facility may have managed small quantities of the January 14, 1985 listed wastes in the past or may handle such wastes pursuant to emergency permits during interim status (in accordance with 50 FR 1986) or may handle such wastes after final RCRA §264 permitting and requisite approval of the waste management plan (50 FR 1987).



This letter is an integral portion of the attached §3010 notification form and must not be separated therefrom.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara D. Little". The signature is fluid and cursive, with a large initial "B" and a stylized "L".

Barbara D. Little

BDL:cm

Attachment



Please print or type with ELITE type (12 characters/inch) in the unshaded areas only. 4-15-83

USA NO. U240-EPA-01

1B

INSTALLATION'S EPA I.D. NO.

NAME OF INSTALLATION

INSTALLATION MAILING ADDRESS

LOCATION OF INSTALLATION

THIS NOTIFICATION IS A PROTECTIVE FILING ONLY SUBJECT TO THE CONDITIONS STATED IN THE ATTACHED LETTER DATED APRIL 15, 1985

PLEASE PLACE LABEL IN THIS SPACE

INSTRUCTIONS: If you received a preprinted label, affix it in the space at left. If any of the information on the label is incorrect, draw a line through it and supply the correct information in the appropriate section below. If the label is complete and correct, leave Items I, II, and III below blank. If you did not receive a preprinted label, complete all items. "Installation" means a single site where hazardous waste is generated, treated, stored and/or disposed of, or a transporter's principal place of business. Please refer to the INSTRUCTIONS FOR FILING NOTIFICATION before completing this form. The information requested herein is required by law (Section 3010 of the Resource Conservation and Recovery Act).

FOR OFFICIAL USE ONLY

COMMENTS

INSTALLATION'S EPA I.D. NUMBER

APPROVED

DATE RECEIVED (yr., mo., & day)

I. NAME OF INSTALLATION

II. INSTALLATION MAILING ADDRESS

III. LOCATION OF INSTALLATION

IV. INSTALLATION CONTACT

V. OWNERSHIP

VI. TYPE OF HAZARDOUS WASTE ACTIVITY

VII. MODE OF TRANSPORTATION

VIII. FIRST OR SUBSEQUENT NOTIFICATION

IX. DESCRIPTION OF HAZARDOUS WASTES

EPA Form 8700-12 (6-80)

CONTINUE ON REVERSE





W

## IX. DESCRIPTION OF HAZARDOUS WASTES (continued from front)

A. HAZARDOUS WASTES FROM NON-SPECIFIC SOURCES. Enter the four-digit number from 40 CFR Part 261.31 for each listed hazardous waste from non-specific sources your installation handles. Use additional sheets if necessary.

1 F020	2 F022	3 F026	4 F028	5	6
7 F021	8 F023	9 F027	10	11	12

B. HAZARDOUS WASTES FROM SPECIFIC SOURCES. Enter the four-digit number from 40 CFR Part 261.32 for each listed hazardous waste from specific industrial sources your installation handles. Use additional sheets if necessary.

13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30

C. COMMERCIAL CHEMICAL PRODUCT HAZARDOUS WASTES. Enter the four-digit number from 40 CFR Part 261.33 for each chemical substance your installation handles which may be a hazardous waste. Use additional sheets if necessary.

31 F027	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48

D. LISTED INFECTIOUS WASTES. Enter the four-digit number from 40 CFR Part 261.34 for each listed hazardous waste from hospitals, veterinary hospitals, medical and research laboratories your installation handles. Use additional sheets if necessary.

49	50	51	52	53	54
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E. CHARACTERISTICS OF NON-LISTED HAZARDOUS WASTES. Mark "X" in the boxes corresponding to the characteristics of non-listed hazardous wastes your installation handles. (See 40 CFR Parts 261.21 - 261.24.)

☐ 1. IGNITABLE  
(D001)

☐ 2. CORROSIVE  
(D002)

☐ 3. REACTIVE  
(D003)

☐ 4. TOXIC  
(D006)

## X. CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

SIGNATURE

NAME &amp; OFFICIAL TITLE (type or print)

DATE SIGNED



 Jack Lurcott Vice-President  
CECOS International, Inc.

15 APR 85

ENVIRONMENTAL PROTECTION  
AGENCY, REGION II  
NEW YORK, N.Y.

1985 APR 25 PM 1:49

PERMITS ADMINISTRATION  
BRANCH